

**REMARKS**

Claims 1-13 remain pending in this application with claims 1-2, 6-9 and 11-13 being amended and claim 4 being cancelled by this response.

**Rejection of Claims 1-9 and 11-12 under 35 USC § 102(b)**

Claims 1-9 and 11-12 are rejected under 35 USC § 102(b) as being anticipated by Perlman et al. (U.S. Patent No. 5,583,576).

The present claimed invention provides an apparatus for processing and outputting a program signal. The apparatus includes a data receiver for receiving a signal channel selection from a user. A tuner selects one of a plurality of signal channels in response to the signal channel selection. The selected one of the plurality of signal channels includes a program signal. A signal output provides an output signal derived from the program signal and an auxiliary data processor detects program related information included in each program signal. A central processing unit is operatively connected to the data receiver, signal input tuner, signal output and auxiliary data processor. The central processing unit controls the output signal for reducing user access to the program signal in response to detecting a predetermined sequence of signal channel selections being received to thereby prevent a user from exploiting a delay associated with the auxiliary data processor detecting program related information included in the program signal.

Perlman et al. (US Patent No. 5,583,576) teaches a technique for selectively inhibiting a television receiving apparatus from displaying those television channels which are not authorized for viewing, such as unsubscribed television channels and channels with programs which satisfy predetermined content ratings criteria. When either the channel up or channel down buttons are operated by the viewer, the rating data associated with the next television channel is compared with the rating code to determine if that television channel satisfies the predetermined content ratings criteria. If so, the channel is blocked and another channel having a rating data which does not

satisfy the predetermined content ratings criteria then is selected and the program broadcast thereon is displayed to permit the viewer to watch channels broadcasting acceptable television programs. Perlman et al. utilize electronic program guide (EPG) data to assist in automatically blocking the display of television channels broadcasting certain types of television programs or in blocking the display of television channels that are scrambled but for which the subscriber is not authorized to descramble. Perlman et al. weigh each program broadcast on each television channel relative to a standard and then selectively enable the television receiver apparatus to display the program on that channel if its "weight" is sufficient. The weight is based on the rating derived from the EPG.

The present claimed invention sets out to solve the shortcoming of apparatuses such as Perlman et al. One difficulty associated with conventional channel blocking apparatuses is the delay time required for a television receiver to receive and decode data received from the EPG. As discussed in the specification on page 32, lines 10-27, a delay exists between the receipt and decoding of program related information. Additionally, rating packet information may be delayed by higher priority signals such as closed captioning. Therefore, there may be a delay greater than 3 seconds after selection of a new channel before new program related information may be detected and decoded. A user may attempt to exploit the delay and bypass such a blocking feature by repeatedly tuning to a particular channel to view or listen to portions of an objectionable program before the blocking feature can be activated. The present claimed invention reduces user access to the program signal upon detection of "a predetermined sequence of signal channel selections being received". This is indicative of such attempts to circumvent the delay in receipt of program rating packet transmissions.

The Examiner suggests that Perlman et al. disclose reducing user access to a program when a list of channel selections is received. However, Perlman et al. are not concerned with a user circumventing the rating block by exploiting the time delay and neither disclose nor suggest "reducing user access to said program signal, in response to detecting a predetermined sequence of signal channel selections being received" as in

the present claimed invention. Perlman et al. only block a channel when it is determined that the rating data of a channel satisfies the predetermined rating criteria. Therefore, Perlman et al. neither disclose nor suggest "a central processing unit operatively connected to said data receiver, said signal input tuner, said signal output and said auxiliary data processor, wherein said central processing unit controls said output signal for reducing user access to said program signal, **in response to detecting a predetermined sequence of signal channel selections** being received to **thereby prevent a user from exploiting a delay associated with said auxiliary data processor** detecting program related information included in said program signal" as claimed in amended claim 1 of the present invention.

As claims 2-9 and 11-12 are dependent upon claim 1, it is respectfully submitted that these claims are likewise allowable.

In view of the above remarks and amendments to the claims it is respectfully submitted that there is no 35 USC 112 compliant enabling disclosure in Perlman et al. showing the above discussed features. It is thus further respectfully submitted that claims 1-9 and 11-12 are not anticipated by Perlman et al. It is thus, further respectfully submitted that this rejection is satisfied and should be withdrawn.

#### **Rejection of Claims 10 and 13 under 35 USC § 103(a)**

Claims 10 and 13 are rejected under 35 USC § 103(a) as being anticipated by Perlman et al. (U.S. Patent No.: 5,583,576) in view of Collings (U.S. Patent No.: 5,828,402).

Collings discloses a video program transmission method for enabling a viewer to receive information useful for selectively blocking the viewing of television programming. Collings selectively blocks the viewing of television programming by detecting data packets describing television programming in an incoming video signal. These data packets include at least packets which contain category information

specifying a level in one or more multi-level categories and/or label information specifying labels applied to the program content of the signal.

The Examiner suggests that Collings disclose blocking a program signal and restricting access with an On Screen Display Menu with a PIN password protection. However, Collings, similar to Perlman et al., are not concerned with a user circumventing the rating block by exploiting the time delay. Collings merely describes a blocking system for selectively blocking audio and video. Therefore, Collings, with Perlman et al., neither discloses nor suggests "a central processing unit operatively connected to said data receiver, said signal input tuner, said signal output and said auxiliary data processor, wherein said central processing unit controls said output signal for reducing user access to said program signal, **in response to detecting a predetermined sequence of signal channel selections** being received to **thereby prevent a user from exploiting a delay associated with said auxiliary data processor** detecting program related information included in said program signal" as claimed in amended claim 1 of the present invention.

As claims 10 and 13 are dependant on independent claim1 it is respectfully submitted that they are allowable for the same reasons as discussed above. In view of the above remarks and amendments to the claims it is respectfully submitted that this rejection is satisfied and should be withdrawn.

The applicant respectfully submits, in view of the above arguments, that the all arguments made by the Examiner have been addressed and this rejection should be withdrawn. Therefore, the applicant respectfully submits that the present claimed invention is patentable.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to

Application Serial No. 09/581,709

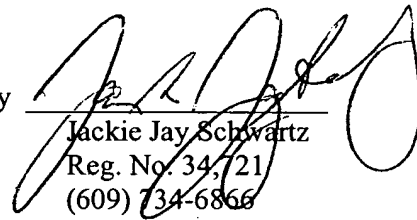
RCA88796

contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the fee to  
Deposit Account 07-0832.

Respectfully submitted,  
Joseph Wayne Forler

By

  
Jackie Jay Schwartz  
Reg. No. 34,721  
(609) 734-6866

Patent Operations  
Thomson Licensing, Inc.  
P.O. Box 5312,  
Princeton, NJ 08543-0028  
August 31, 2005



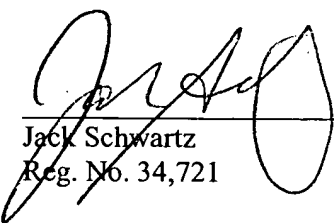
Application Serial No. 09/581,709

RCA88796

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in a postage paid envelope addressed to: Mail Stop Amendment, Commissioner of Patents and Trademarks, P.O. Box 1450, Arlington, VA 22313-1450 on the date indicated below.

Date: August 31, 2005

  
\_\_\_\_\_  
Jack Schwartz  
Reg. No. 34,721